



#### Air Pollution Control Board

Greg Cox	District 1
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November 30, 2015

## NOTICE OF WORKSHOP

### FOR DISCUSSION OF DRAFT PROPOSED AMENDMENTS TO RULE 24 – TEMPORARY PERMIT TO OPERATE

The San Diego County Air Pollution Control District (District) will hold a public meeting to present and discuss draft proposed amendments to Rule 24 – Temporary Permit to Operate. Comments and questions concerning the draft proposal may be submitted in writing before or made at the workshop, which is scheduled as follows:

**DATE:** Wednesday, January 20, 2016  
**TIME:** 9:30 a.m. to 11:30 a.m.  
**PLACE:** San Diego County Operations Center  
5500 Overland Avenue, 1<sup>st</sup> Floor, Room 120  
San Diego, CA 92123

Rule 24 was adopted in March 1996 to provide, under certain conditions, a streamlined process for sources to obtain a temporary Permit to Operate prior to completion of the District's permitting process. Specifically, current Section (d) of Rule 24 authorizes existing, unpermitted sources to operate upon filing a substantially complete permit application, which serves as their temporary Permit to Operate. In practice, however, Section (d) has provided unintended opportunities for operation of existing equipment during the application review process that may adversely impact air quality and public health.

Current Section (e) of Rule 24 was designed to mitigate the possible adverse air quality impacts of Section (d), as it authorizes the District to withdraw the temporary permit if operation of the source is in violation of the District's Rules and Regulations. However, notwithstanding Section (e), there remains a potential for harmful emissions of criteria and/or toxic air pollutants prior to the determination of a violation, since significant analysis may be required to determine a violation of the Rules and Regulations. To eliminate this potential, a proposed amendment of Rule 24 is now considered necessary.

Most of the draft proposed amendments to the rule have been made to Section (d) to limit the conditions for which the rule would apply to existing emission units.

Specifically, proposed amended Rule 24 will:

- Redefine “new emission unit” as an emission unit that is not a modified or existing emission unit.
- Redefine “existing emission unit” as:
  - An emission unit for which a Permit to Operate is required solely due to a change in Rule 11 (Exemptions from Rule 10 Permit Requirements); or

**OVER**

- An emission unit which was constructed, erected or installed, and operated in San Diego County prior to *(3 years prior to the date of rule adoption)*, and for which a valid Authority to Construct or Permit to Operate has never been issued; and
- An emission unit that is not located within 1,000 feet from the outer boundary of a school (K through 12 inclusive), with the distance measuring from the property line where the emission unit is located to the property line of the school; and
- An emission unit that does not require public notice prior to issuance of an Authority to Construct.
- Require an owner or operator of an existing emission unit to file a substantially complete application, including but not limited to, the applicable fees and supplemental information forms for an Authority to Construct and Permit to Operate.
- Allow the substantially complete application to serve as a temporary Permit to Operate for the emission unit for no longer than 60 days or until the application is deemed complete (in accordance with the requirements of Rules 14 – Applications, 18(a) – Action on Applications, and 40 – Permit and Other Fees) in writing by the District, whichever comes first. Once the application is deemed complete, the application shall continue to serve as a temporary Permit to Operate for the emission unit until an Authority to Construct, Startup Authorization or Permit to Operate is issued, or the application is denied or cancelled.
- Specify that if additional information is required by the District after the application is deemed complete, the applicant has no more than 10 calendar days, unless otherwise approved by the Air Pollution Control Officer, to provide the requested information to the District. If the information is not submitted within that time period, the application shall be cancelled by the District.
- Specify that submission of an application for an Authority to Construct and Permit to Operate for an existing emission unit does not preclude the District from taking enforcement action against a stationary source for noncompliance with Rule 10 – Permits Required, Sections (a) and (b).
- Specify in Section (e) that the Air Pollution Control Officer shall modify or withdraw the temporary Permit to Operate if operation of the emission unit may be expected to be in violation of the permit or any applicable Rules and Regulations.

Copies of draft proposed amendments to Rule 24 and a map of the workshop location are available on the District's website at [http://www.sdapcd.org/homepage/public\\_part/workshops/public\\_workshops.pdf](http://www.sdapcd.org/homepage/public_part/workshops/public_workshops.pdf). The District requests that workshop participants bring their own copies of the draft proposed rule. If you have any questions concerning the rule, please contact Angela Ortega at (858) 586-2753.



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Air Pollution Control District

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